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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,928	11/24/2003	William Jackson Bushnell	Bushnell 25-26 (13436.287	5246

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PATTON BOGGS  
1660 LINCOLN ST  
SUITE 2050  
DENVER, CO 80264

EXAMINER

PHAN, HUY Q

ART UNIT

PAPER NUMBER

2687

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/720,928		BUSHNELL ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Huy Q. Phan		2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mayne (US-2004/0025047).

Regarding claim 1, Mayne discloses an interoperability system (fig. 1 and its description) connected to an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig. 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise communication network and said public communication network (fig. 1 and its description), comprising:

presence server means (WIS 1 and its description) for storing user data representative a service status of a user wireless station set ([0072]-[0075]), comprising:

location means for identifying a last determined location of said plurality of users ([0072]-[0075], [0121] and [0054]); and

query means (PBX 40 and its description, also see [0110]) for exchanging said user data with at least one of said enterprise communication network and said public communication network (fig.7 and description).

Regarding claim 2, Mayne discloses the interoperability system of claim 1 wherein said enterprise communication network and said public communication network each comprise at least one cell site (inherently as "access points 2"), said location means comprises: location data update means ([0072]-[0075], [0121] and [0054]), responsive to user location data received from a one of said enterprise communication network and said public communication network ([0072]-[0075], [0121] and [0054]), for recording present location data identifying a one of said at least one cell site which presently serves said user wireless station set ([0072]-[0075], [0121] and [0054]).

Regarding claim 3, Mayne discloses the interoperability system of claim 1 wherein said presence server means further comprises: status means for identifying a present operational status of said user wireless station set ([0119] and [0072]-[0075]).

Regarding claim 4, Mayne discloses the interoperability system of claim 3 wherein said status means comprises: status update means ([0119] and [0072]-[0075]), responsive to user operational status data received from a one of said enterprise communication network and said public communication network, for recording present operational status data of said user wireless station set ([0119] and [0072]-[0075]).

Regarding claim 5, Mayne discloses a method of providing service interoperability (fig. 1 and its description) in both an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig. 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise communication network and said public communication network ("access points 2"), comprising:

storing (WIS 1 and its description) user data representative a service status of a user wireless station set ([0072]-[0075]), comprising:

identifying a last determined location of said user wireless station set ([0072]-[0075], [0121] and [0054]); and

exchanging (PBX 40 and its description, also see [0110]) said user data with at least one of said enterprise communication network and said public communication network (fig.7 and description).

Regarding claim 6, Mayne discloses the method of providing service interoperability of claim 5 wherein said enterprise communication network and said public communication network each comprise at least one cell site (inherently as "access points 2"), said step of identifying comprises: recording, in response to user location data received from a one of said enterprise communication network and said public communication network, present location data identifying a one of said at least

one cell site which presently serves said user wireless station set ([0072]-[0075], [0121] and [0054]).

Regarding claim 7, Mayne discloses the method of providing service interoperability of claim 5 wherein said step of storing further comprises: identifying a present operational status of said user wireless station set ([0119] and [0072]-[0075]).

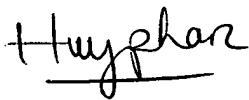
Regarding claim 8, Mayne discloses the method of providing service interoperability of claim 7 wherein said step of identifying a present operational status comprises: recording, in response to user operational status data received from a one of said enterprise communication network and said public communication network, for recording present operational status data of said user wireless station set ([0119] and [0072]-[0075]).

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid G Lester can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Examiner: Phan, Huy Q.

  
**SONNY TRINH**  
**PRIMARY EXAMINER**

AU: 2687

Date: 11/29/2005